

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC

PLAINTIFF,

V.

**ALLIANZ LIFE INSURANCE COMPANY
OF NORTH AMERICA, *ET AL.***

DEFENDANTS.

Civil Action No. 2:11-CV-00249

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The Plaintiff, TQP Development, LLC and Defendants OppenheimerFunds, Inc. Dodge & Cox, Nationwide Investment Services Corporation, Nationwide Mutual Insurance Company, and The Travelers Indemnity Company, pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing Plaintiff's claims in this action against Defendants OppenheimerFunds, Inc.; Dodge & Cox; Nationwide Investment Services Corporation, Nationwide Mutual Insurance Company, and The Travelers Indemnity Company, WITH PREJUDICE and dismissing all counterclaims as MOOT, subject to the terms of that certain agreement entitled "MASTER AGREEMENT" and dated December 28, 2011, with each party to bear its own costs, expenses and attorneys' fees.

DATED January 5, 2012.

Respectfully submitted,

By: \s\ Hao Ni

Hao Ni

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COX; NEW YORK LIFE INSURANCE
AND ANNUITY CORPORATION; NEW
YORK LIFE INSURANCE COMPANY;**

**THE TRAVELERS INDEMNITY
COMPANY; AND THE TRAVELERS
COMPANIES, INC.**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile, and/or first class mail on this date

\s\ Hao Ni
Hao Ni